

MUKASEY  

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April 8, 2024

**VIA ECF**

Honorable Lewis A. Kaplan  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

**Re:     *United States v. Samuel Bankman-Fried, 1:22 CR 673 (LAK)***

Dear Judge Kaplan:

Defendant Sam Bankman-Fried was sentenced on March 28, 2024, primarily to 25 years imprisonment, to be served, if possible, near his family's home in California. (ECF 424). Mr. Bankman-Fried respectfully requests, pursuant to Rule 38(b)(2) of the Federal Rules of Criminal Procedure, that the Court supplement its recommendation to the Bureau of Prisons ("BOP") by issuing the attached proposed order recommending that the BOP allow him to remain at the Metropolitan Detention Center in Brooklyn to facilitate access to his appellate counsel pending the filing of the briefs in his anticipated appeal.

Rule 38(b)(2) provides that "[i]f the defendant is not released pending appeal, the court may recommend to the Attorney General that the defendant be confined near the place of the trial or appeal for a period reasonably necessary to permit the defendant to assist in preparing the appeal." Fed. R. Cr. Proc. 38(b)(2). *See e.g., United States v. Carl*, No. 07-CR-29-P-S, 2008 WL 4615556 (D. Me. Oct. 16, 2008) (issuing similar order).

The government informs us that they take no position on this request.

Respectfully submitted,

/s/ Marc L. Mukasey  
Marc L. Mukasey  
Torrey K. Young

cc:     All counsel (via ECF)